

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

Lershawn V. Kelly,

Petitioner,

vs.

ORDER ADOPTING  
REPORT AND RECOMMENDATION

R.L. Morrison, Warden,

Respondent.

Civ. No. 06-2168 (PJS/RLE)

\* \* \* \* \*

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

That the Petition for Writ of Habeas Corpus [Docket No. 1] is granted, in part, as more fully described in the text of the Report and Recommendation [Docket No. 8].

Dated: 2/16/07

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge